

## Message Text

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STADIS//////////  
FOR AMB. ELLIOT L. RICHARDSON

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LETTER TO AMB. RICHARDSON FROM NIGERIAN ATTORNEY  
GENERAL NNAMANI

FOLLOWING IS TEXT OF LETTER DATED JULY 4, 1978 FROM DR. A.  
NNAMANI: QUOTE - DEAR AMBASSADOR RICHARDSON, I THANK YOU  
FOR YOUR LETTER AND I AM GRATEFUL FOR MANY THOUGHT PROVOK-  
ING ISSUES RAISED THEREIN.

-- 2. THE RESULTS OF THE GENEVA MEETING REQUIRE CAREFUL  
CONSIDERATION AND WE ARE STILL IN THIS PROCESS. SUBJECT TO  
WHAT I MAY HAVE TO SAY ABOUT THE NEGOTIATION IN EACH NEGO-  
TIATING GROUP AND THE CONFERENCE AS A WHOLE, IT IS MY VIEW  
THAT THERE WAS A MOVEMENT IN THE RIGHT DIRECTION.

-- 3. WHERE FURTHER NEGOTIATIONS ARE NECESSARY TO COMPLETE  
THE WORK OF SOME OF THE NEGOTIATING GROUPS, THERE IS NO  
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OBJECTION TO THE GENEVA CHAIRMEN CONTINUING TO GUIDE DELIB-  
ERATION ON ISSUES RELATIVE TO THEIR GROUP ALSO IN NEW YORK.  
IT IS PERTINENT TO STATE HOWEVER THAT THE RESULTS OBTAINED  
FROM THE NEGOTIATING GROUPS RELEVANT TO COMMITTEE I (NEGOTI-  
ATING GROUPS I, 2, AND 3) ARE A MIXED SYSTEM FOR EXPLORATION  
AND EXPLOITATION OF THE SEABED AREA, ASSURED ACCESS, AND  
GUARANTEE OF INVESTMENT. IN THE CIRCUMSTANCES THERE SHOULD

BE LESS DIFFICULTIES ABOUT THE STRUCTURE, COMPOSITION AND POWERS OF THE COUNCIL.

-- 4. WITH REGARD TO THE ISSUES DEALT WITH BY THE NEGOTIATING GROUPS RELEVANT TO COMMITTEE II MATTERS (NEGOTIATING GROUPS 4, 5, 6 AND 7), THERE WAS CONSIDERABLE PROGRESS. ON THE QUESTION OF THE RIGHT OF LAND-LOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES IN THE EXCLUSIVE ECONOMIC ZONE (HEREINAFTER REFERRED TO AS THE EEZ) TO THE LIVING RESOURCES IN THE EEZ THE RESULT OF THE LAST NEGOTIATION SHOULD FORM A SOLID BASIS FOR RESOLVING THE ISSUES. ON THE QUESTION OF SETTLEMENT OF DISPUTES RELATING TO THE EXERCISE OF THE SOVEREIGN RIGHTS OF COASTAL STATES IN THE EEZ WHAT EMERGED WAS A SYSTEM OF COMPULSORY CONCILIATION REPLACING COMPULSORY ARBITRATION. TO MY MIND IT APPEARS THERE IS NO DIFFERENCE BETWEEN THE TWO, BECAUSE IN BOTH CASES YOU HAVE A DECISION OR AN AWARD WHICH COULD NOT EASILY BE IGNORED. THIS COULD CONSTITUTE PRESSURE ON THE COASTAL STATES.

-- 5. IN ORDER TO RESOLVE THE ISSUES OF THE DEFINITION OF THE OUTER LIMITS OF THE CONTINENTAL SHELF AND THE RELATED QUESTION OF REVENUE SHARING, IT APPEARS TO ME THAT THE BEST SOLUTION WOULD BE AN ACCEPTANCE OF THE 200 MILES SIMPLICITER WHICH IS SUBSUMED BY THE EEZ. NEITHER THE IRISH FORMULA WHICH MIGHT GIVE A LIMITLESS DISTANCE WHEN BASED ON "THE LIMITED OFFICIAL USE

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THICKNESS OF SEDIMENTARY ROCK" PRINCIPLE NOR THE SOVIET FORMULA WHICH MIGHT GIVE 300 NAUTICAL MILES MAXIMUM IS SATISFACTORY. IN BOTH CASES THE COMMON HERITAGE WOULD BE IMPOVERISHED AND COULD EVEN BE REDUCED TO A NON-ENTITY. THE SOLUTION PROFERRED HERE WILL DEFINITELY AMELIORATE NEGOTIATIONS IN NEGOTIATING GROUPS 4, 5 AND 6.

-- 6. ON THE QUESTION OF DELIMITATION OF MARITIME BOUNDARIES BETWEEN ADJACENT AND OPPOSITE STATES AND SETTLEMENT OF DISPUTES THEREON, THE PROVISION OF THE ICNT SEEMS APT. IT APPEARS TO BE THE BEST OF ALL THE PROPOSALS MADE IN GENEVA BECAUSE IT TAKES CARE OF ALL THE POSSIBILITIES WHICH ARE RELEVANT IN A DELIMITATION PROBLEM WITHOUT GIVING ANY ONE PRINCIPLE PRIORITY OVER OTHER. IT ALL DEPENDS ON THE CIRCUMSTANCES. IT IS PREFERABLE THAT IT SHOULD BE FLUID.

-- 7. I AGREE THAT WORK IS ALMOST COMPLETED ON COMMITTEE II AND COMMITTEE III MATTERS AND ONE HAS BEEN VERY ENCOURAGED BY THE RESULTS AS A WHOLE. I ENTIRELY AGREE WITH YOU AND SHARE YOUR VIEWS THAT THE CONSTRUCTIVE WORKING RELATIONSHIP MAINTAINED BETWEEN US WHICH IS VERY VALUABLE

SHOULD CONTINUE.

-- 8. FONDEST REGARDS AND BEST WISHES. SINCERELY YOURS,  
DR. A. NNAMANI, HONOURABLE ATTORNEY-GENERAL OF THE FEDERA-  
TION OF NIGERIA AND COMMISSIONER FOR JUSTICE. UNQUOTE. CHRISTOPHER

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